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Watkins, Walter K.

Ochterloney Family



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THE
OCHTERLONEY FAMILY

OF SCOTLAND,

AND BOSTON, IN NEW ENGLAND.

BY

WALTER KENDALL WATKINS.

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The Ochterlony Family.

William the Lion, King of Scotland, so called from his adopting the lion as the armorial bearing of Scotland, founded in 1178 the Abbey of Aberbrothock, which he dedicated to his murdered friend, St. Thomas à Becket of Canterbury. On 10 Dec., 1214, his body was brought from Stirling, where he died, and was buried in front of the High Altar. The blue shelly marble block, curiously carved, which covered his tomb, is one of the relics still shown, as is also his heart. The abbey was unfinished then and not completed till 1233.

William was succeeded in his reign by his son, Alexander II., who made good his rule in Galloway in 1233, and arranged a satisfactory peace with England in 1244.

Between 1226 and 1239 Walter, son of Turpin, exchanged the lands of Othirlony, which had belonged in heritage to their ancestors, for those of Kenny, in the parish of Kingoldrum, Forfarshire, possessed by the Abbey of Aberbrothock. Kenny had been bestowed on the abbey by its founder, King William. This is shown by the charter of Kenny by the fourth abbot, Ralph, who held that office in 1226-1239. The abbey lands of Dunnechin being adjoining to those of Othirlony, by the good counsel of friends the exchange was made. (*Register of Aberbrothock, Charter No. 306.*)

Kingoldrum is a parish in Forfar, four miles from Kirremuir. Its lands were bestowed on the Abbey of Aberbrothock by a charter of William the Lion, and were confirmed by Alexander III., and again by King Robert Bruce. The river Melgum forms a series of beautiful waterfalls here, called the Loups of Kenny. In this parish the farm of Meikle Kenny was occupied by John Hunter, farmer, in 1893, while the farm of Kirkton was held by Charles Findlay.

On the 12th of July, 1249, Alexander III., at the age of eight years, succeeded his father, Alexander II. On his death in 1285 he was to have been succeeded by his granddaughter, Margaret, the Maiden of Norway, but she died on her way to Scotland. Then there appeared twelve competitors to the throne, the principal of whom were John Baliol, Robert Bruce and John de Hastings, who agreed to submit to Edward I. of England as arbitrator. He decided in favor of Baliol, who did homage to him in 1292 at Norham Castle, near Berwick on Tweed; and in 1296, after the battle of Dunbar, at Berwick, the nobility, landholders, burgesses and clergy of Scotland to a large extent swore fealty to Edward and signed and affixed their seals to the Ragman's Roll, so called from the strips with seals appendant to some thirty-five parchment skins, resembling a game of the period in which a bundle of strips of paper was used to draw from by the players. In this Roll appears the name of Walter Dougterlony (Ochterloney) of Fifeshire. (*Ragman's Roll, Pub. Rec. Office, London.*)

It is possible that Fife then included lands north of the Tay River, but it is more probable that the early home of the Ochterlony family was south of the Tay.

During the reign of John Baliol, Sir William Wallace appears and becomes prominent. A tradition of the Ochterlony family in the middle of the seventeenth century relates the existence at one time of a letter from Wallace to his trusty and assured friend, the Laird of Ouchterloney, requiring him to repair to Wallace, with his friends and servants, "for its lyke we will have use for you and other honest men in the countrey within a short tyme," as the letter read, and shortly after the Barns of Ayr were burnt, as the tradition relates.

This affair of the Barns of Ayr is described by Sir Walter Scott in his *Tales of a Grandfather*.

In 1351, William, abbot of the abbey, confirmed to John de Othirlowney the charter of Kenny granted by Ralph (1226-1239). (*Register of Abbey*, pp. 334, 335.)

This confirmation also refers to a perambulation of the time of Gilbert (1225), third abbot, who preceded Ralph, and mentions also the lands of Kyrkton in Kingoldrum.

John Ochterlony, to whom were confirmed the lands of Kenny in 1351, was sheriff of Forfar in 1342. (*Exchequer Rolls of Scotland*, I., 501.)

By an inquisition taken of the lands of Kennymykyl in April, 1409, William de Ouchterlowny, brother of Alexander de Ouchterlowny, died seized and vested in the lands of Kennymykyl, in the shire of Kingoldrum, regality of Aberbrothock; the land being held of the abbey "in capite" by "servicium homagii warde et relevii," etc.; and Alexander was heir of William. (*Abbey Register*, pp. 47, 48.)

At Stirling, 4 Nov., 1444, James II. confirmed the gift and grants that were made by several persons to Willelmo de Ouchterlowny of Kelly of lands in barony of Kelly, Forfar, in exchange for other lands which were to the said persons, to be held by said William and his heirs by the said charter. (*Register of Great Seal*, No. 282.)

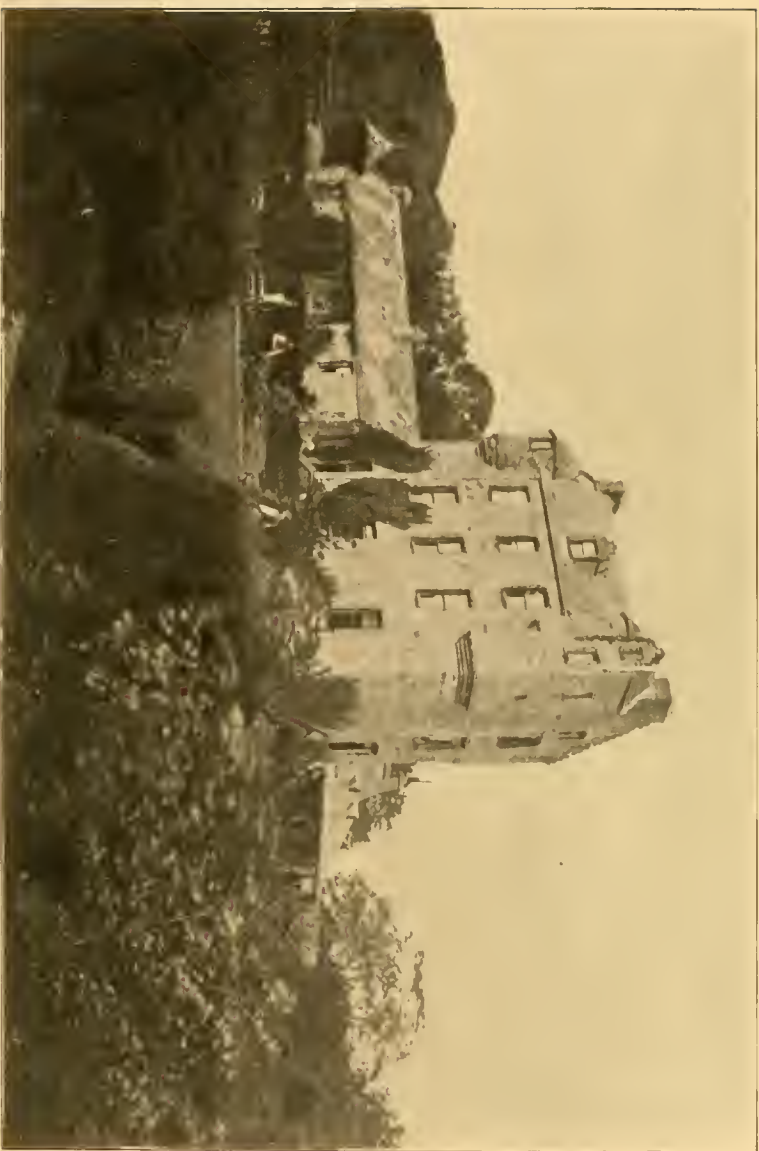
A few miles from the Abbey of Aberbrothock is the village of Arbirlot, in which is Kelly Castle, a fine specimen of the old Scottish baronial tower, situated on a rocky eminence on the west bank of the water, about a mile below the church and village of Arbirlot.

Sir James Stewart, who was killed at the battle of Halidon-hill in 1333, had a son, Sir John Stewart, who got a charter of the lands of Kelly in Angus (Forfar) but died without male issue.

In King David II. (1331-1370) John Stewart had the barony of Kellie by resignation of James Stewart, which Walter Stewart had between 1320-1326, and previously in Robert I. (1305-1320) Robert Stewart had the barony of Kellie, Forfar, Roger Mowbray had forfeited. (*Index Early Charters*, 10-14, 21-23, 55-17.)

Sir John Stewart was succeeded by Sir Robert Stewart of Shanbothy, who carried on the line of the family, and died in 1386. His second son was Robert, ancestor of the Stewarts of Rosythe, and through a female of this branch Kellie is said to have come to the Ochterloney family.





KELLY CASTLE. ARBIRLOT



By a charter of Robert III. (1370-1390) William Maule of Panmure concedes to Alexander Oughterloney and Janet Maule, his wife, the lands of Greinford, Forfar. (*Index Early Charters*, 137, 138.)

Greinford is without doubt in Arbirlot, and in modern times is the farm of Greenford, of which Thomas Douglas was tenant in 1893.

Sir William Maule, Lord of Panmure, married Marian, only daughter of David Fleming of Biggar and Jean Barclay (daughter of Sir David Barclay, Lord of Brechin). Sir William had one daughter, Jean or Janet, who married Alexander Auchterloney of Kellie previous to 1390. In 1391 a relief of Melgund was made to William Ochterloney. (*Exchequer Rolls*, III., 270.)

In 1445 the annual rent from Panmure to William Ochterloney of Kelly was £8 6s. 8d. (*Exchequer Rolls*, V., 201.)

Sir Andrew Gray, seventh baron of Broxmouth, married about 1378 Janet, daughter of Sir Roger de Mortimer, and had one son and seven daughters. One of the youngest of these daughters married first, William Auchterloney of Kelly, last mentioned, and second, David Annan of Melgum.

In a charter of 1466 from Malcolm, the abbot, the wife of William is given as Janet. This charter is in reference to the stone quarried on the lands of Kelly, the freestone, which is common to this neighborhood. (*Abbey Register*, p. 153.)

In a confirmation of the lands of Kennymykle, 12 April, 1466, by Walter, abbot of the monastery of Aberbrothock, to Alexander de Ochterloney, son and heir of William de Ochterloney, master of Kelly, is a mention of a previous charter, dated 23 Dec., 1444, from Malcolm, the abbot, to Alexander Ochterloney and Mariota de Drummond, his wife. (*Abbey Register*, pp. 149, 150.)

She was probably the daughter of Sir Malcolm Drummond (ancestor of the Earls of Perth) by Mariota, daughter of Sir David Murray, Lord of Tullibardin. Sir Malcolm died in 1470. A record of the Drummonds, some of whom intermarried with the royal families of Scotland, is given back to about 1100 in Douglas's Peerage of Scotland (pp. 547-555).

On 6 May, 1493, in the register of the abbey, David, the abbot, shows the possession of the lands of Kennemekle by the master of Kelly, and states that James de Ochterloney is son and heir of Alexander (pp. 280, 281).

In 1512 a commission of the lands of Kennemekle mentions James Ochterloney of Kelly. (*Abbey Register*, p. 420.)

13 May, 1517, the King, James V., grants to William Ochterloney of Kelly the lands of Lochle and Inchgromnell in Glenesk, Forfarshire. (*Register of Great Seal*, XX., 42.)

On 8 Sept., 1528, the King, for good service, grants to William Ochterloney of that ilk and Margaret Gardyne, his wife, lands of Petcoured in Kerrimuir, Forfar, which were those of Archibald, Earl of Angus. (*Register of the Great Seal*, XXII., 229.)

In 1574, by a relief of the lands of Ochterloney, *alias* Kelly, in Exchequer Rolls (XX., 460), they were held by William Ochterloney.

23 Nov., 1591, James VI. of Scotland, known as James I. of England, confirmed, etc., for good service, to William Ochterloney of the same the lands and barony of Auchterloney, *alias* Kelly. (*Great Seal*, XXXIX., 116.)

In the Commissariat of Edinburgh we find, 17 Feb., 1596, the will of Elizabeth Stewart, sometime spouse of William Auchterloney of that ilk, laird of Kelly, Forfar.

The King confirmed 27 June, 1609, a charter of William Ochterloney of that ilk, who by a contract between himself and his second son, Alexander Ochterloney, burgess of Aberbroath, dated Kelly, 4 Jan., 1609, has a reversion in the lands of Wester Bonhard and part of the lands of Bonythan, with precept of seisin directed to Henry Ochterloney of Milnhill. (*Register of Great Seal*, XLV., 327.)

2 Dec., 1609, William Auchterloney was served as heir to his father, Sir William of that ilk, in the lands and barony of Auchterloney, *alias* Kelly. (*Inq. Ret. Abbreviatis*, IV., 295.)

In 1614 Sir William Ochterloney sold Kelly to Sir William Irvine of Drum. In 1679 it was purchased by George, Earl of Panmure, from Alexander Irvine of Drum. The earl's brother, Harry Maule, had a conveyance of the barony of Kelly to himself. It was he, with his son James, who planted the woods of Kelly about 1724. The castle was without doubt built by the Ochterloneys, and being in a ruinous state it was in 1864 completely restored. It is now an inhabited house, the property of the Earl of Dalhousie, the representative of the old family of the Maules of Panmure, and leased as a residence.

20 Oct., 1585, the King confirmed a charter of the lands of Smyd-dehill, lordship of Brechin, granted by John, Bishop of Brechin, to Charles Murray, son and heir apparent of William Murray, husband of Margaret Gardine, laird of Kelly, and Mariote Auchterloney, wife of Charles Murray. (*Register of Great Seal*, XXXV., 197.)

Charles Murray of Smyddehill married Marion Auchterloney, and to a deed of Murray's in 1599 the following are witness: William Auchterloney of that ilk, James Auchterloney of Setoun and John Auchterloney of Bamirmour (Balmirmer). (*Laing Charters*, Nos. 1378, 1387.)

28 Oct., 1525, the abbot grants to Alexander Ochterloney, son and heir apparent of William Ochterloney of Kelly, and to Elizabeth Leyemount, the wife of said Alexander, the lands of Kennemekyl in Kyncoldrum, Forfar. (*Register of the Abbey*, p. 445.)

10 June, 1530, the King confirmed to Alexander Ochterloney of that ilk and Elizabeth Leirmonth, his wife, the lands of Balcathy and Wester Knox adjacent to Kelly, *alias* Ochterloney. (*Register Great Seal*, XXIII., 204.)

In 1536 David Betoun confirmed and renewed the charter of 1351 to John de Othirlony of the lands of Kenny. (*Abbey Register*, p. 530.)

7 Dec., 1547, Queen Mary grants to James Ochterloney, son and heir apparent of Alexander Ochterloney of the same, lands in the

barony of Ochterloney, *alias* Kelly, which Alexander had resigned, reserving a free tenement for himself and a third to his wife, Isabel Cunyngham (second wife). (*Register of Great Seal*, XXX., 222.)

In the Privy Council records in 1601, in a bond by William Ochterloney of that ilk, we find it witnessed by Gilbert Auchterlony, brother of said William, and Patrick, son of said William. (*Privy Council*, VI., 297, 298.)

Under date of 1609 is a complaint against David Auchterloney, brother of William of that ilk, and Alexander, son of said William. Other entries show that David was a bailie of Aberbrothock. (*Privy Council*, VIII., 244.)

In 1607 the King confirms to William a charter of 28 April, 1603, with consent of his heir, William, to Patrick Ochterloney, fourth son of William of that ilk, lands in Easter and Wester Bonhard. Alexander Auchterloney of Balmirmer is also mentioned. (*Register Great Seal*, XLIV., 352.)

East Balmirmer was held in 1893 by John Hulme, farmer, and West Balmirmer by David Ogilvie, Easter Bonhard by William Fairlie; all these farms being in the parish of Arbirlot.

7 June, 1608, the King confirmed a charter of May 8 from William Ochterlony of that ilk to Patrick Ochterloney in Bonhard and Euphanie Maule, his wife, of lands of Wester Knox in Kelly, Forfar; David Ochterloney, junior, burgess of Aberbroath, and James Ochterloney, witnesses. (*Register of Great Seal*, XLV., 241.)

Again in 1609 the same, with lands of Ester Knox and Balcathy; James Ochterloney, in times past of Mairden, as witness, and the precept of seisin directed to William Auchterloney in Balmillour. (*Register Great Seal*, XLV., 272.)

29 June, 1654, John Auchterlony of Hospitallfield, heir of John Auchterloney younger, fiar of Guynd, his father, in the town and landis of Hospitallfield within the lordship of Aberbrothock. (*Inq. Ret.*, XXI., 320.)

Hospitalfield, on the Dundee road from Arbroath, takes its name from the hospital of the abbey which stood on its site, part of the present building dating from that period. It is credited with being "Monkbarns" of Scott's "Antiquary."

When Kelly was sold in 1614 William Ochterloney purchased Guynd in the parish of Carmylie from the Strachans. Alexander Strachan had Carmylie in 1522.

12 April, 1676, John Auchterloney of Guynd was served as heir to his father, John of Guynd, of the lands of Guynd. (*Inq. Ret.*, XXXVI., 14.)

24 Feb., 1704, John Auchterlonie was served as heir general of his father, John of Guynd. (*Service of Heirs.*)

John Ochterloney, the father, who died at that time (1704), is best known for his account of Forfarshire, which he wrote about 1682 for Sir Robert Sibbald, geographer for the King, who intended to publish a history of Scotland. The matter he collected was printed in the Spottiswoode Miscellany, Vol. I., pp. 331-350, from the manuscript in the Advocates' Library, Edinburgh. He writes:

"I will add no more for our own Familie of Ouchterlony of that ilk but what I have said in the generall description of some places we have and had concern in, but that I have an account of the marriages of the Familie these fifteen generations, viz., 1st, Stewart of Rosyth, in Fyffe; 2nd, Maull of Panmure; 3d, Ogilvy of Lentrathene, predecessor to the Lords of Ogilvy; 4th, Gray, of the Lord Gray; 5th, Drummond of Stobhall, now Perth; 6th, Keith, Lord Marishall; 7th, Lyon, Lord Glames; 8th, Cunninghame of Barnes; 9th, Stewart of Innermeath; 10th, Olyphant, of the Lord Olyphant; 11th, Scrimgeour, of Dudhope; 12th, Beatoun of Westhall; 13th, Peirsone of Lochlands; 14th, Carnegie of Newgait; 15th, Maull, cousine-germane to the deceist Patrick, Earl of Panmure. All these are daughters of the above written families. The familie is very ancient and very great, having above fourteen score chalders of victuall, which was a great estate in those days.

"The armes of our Familie are thus blazoned — bears Azure, a lyon rampant, Argent, within a border Gules entoure, of eight buckles Or above the shield, ane helmet mantled Gules and doubled argent; and on the torse for a crest, ane eagle displayed Azure, with ane escallope in hir beek, Argent, and the motto above the crest, Deus mihi adjutor."

The writer has been able to show the marriages noted above in some of the cases.

John Auchterloney of Guynd died in 1770; he was baptized 23 Dec., 1688, at Carnylie.

3 Oct., 1736, John Ochterloney, junior, of Montrose, married Ann Ochterloney, daughter of John Ochterloney of Guynd.

13 March, 1772, Ann, widow of John Ochterloney, merchant, of Montrose, was served heir of her father, John of Guynd.

John and Ann Ochterloney of Montrose had Patrick, baptized 1 March, 1741, and Ann, baptized 2 Jan., 1743, in Montrose.

John Ochterloney of Guynd was served heir general to his grandfather, John Ochterloney in Montrose, merchant, on 5 April, 1781.

John Ochterloney of Guynd was served as heir special to his father, John Ochterloney of Guynd, who died 30 Jan., 1776.

Margaret, a sister of John Ochterloney of Guynd (who died 29 Nov., 1843, unmarried), was served as his heir 4 March, 1844. She married James Pierson of Balmadies. On her death in 1849 her son, James Alexander Pierson, became the twenty-first laird of Guynd. He married Elizabeth Townsend, daughter of James Murray Grant, twelfth laird of Glenmoriston. On Mr. Pierson's death, 9 Aug., 1873, he bequeathed Guynd to go on the death of his widow to Col. T. H. Ochterloney, of the Montrose branch of the family, who now holds it.

THE WESTER SEYTOUN FAMILY.

In 1525 we find the earliest mention of Seyton, in connection with the Ochterlony family of Kelly, when William Ochterloney of Nether Kelly and his wife, Egidie Thomson, and Henry, son of William Ochterloney, are parties to an interest in lands in Seytoun and thirlage

in the mill of Kirkton, belonging to the abbey. (*Register of the Abbey*, p. 445.)

In 1526 William and his son Henry have rights in lands of Neuton and Panlathy and Crowde in the parish of Abyrriloth. (*Abbey Register*, p. 453.) The first may be identified in the present farm of East Kirkton, in St. Vigeans parish, occupied in 1893 by John Hay, farmer. Neuton probably included the modern farm of Newton held in 1893 by James Addison Scott. Panlathie is held by George Young, and Crudie by John Rennie.

In a Retour of Inquest, 30 Oct., 1560, taken at the front gate of the monastery of Arbroath, the name of William Ochterloney of Setoun appears with other names. (*Laing Charters*, No. 723.)

20 Jan., 1603, James V. ratified two charters: one of these a feudal charter dated 31 April, 1586, where John, Lord Hamilton, commendator of Aberbrothock Abbey, holds William Ochterloney and Barbara Rait, his wife, in the lands of Seytoun in Aberbrothock; the other, 26 Dec., 1601, when John, Marquis of Hamilton, holds James Ochterloney, son of the said William Ochterloney, and Isabell Peirson, wife of said James Ochterloney, with "lie wrak et wair de lie Houp." (*Register of Great Seal*, XLIII., 271.)

Apud Halierudhous, 20 Jan., 1603.

"**REX**, — cum consensu &c. (93.), — ratificavit [1] cartam feudi-firme per Jo. dom de Hammiltoun commendatarium de Abirbrothok et ejusdem conventum factam quondam Willelmo Auchterlonie, et Barbare Rait ejus spouse, — de occidentali dimedietate terrarum de Seytoun, cum decimis garbalibus que nunquam separari solebant, in baronia et regalitate de Abirbrothok vic. Forfare; — **TENEND.** dictis Wil. et Barb. in conjuncta infeodatione, et heredibus inter eos legit. procreatis, quibus deficientibus, heredibus et assignatis dicti Wil. quibuscunque, de dicto monast.; — de data apud Kynnoull et Abirbrothok, 1 et 30 Apr., 1586: — [2] cartam per Jo. marchionem de Hammiltoun commendatarium de Abirbrothok et ejusdem conventum fact. **JACOBO AUCHTERLONIE** filio et heredi dicti Wil., et **ISSABELLE PEIRSOUN** ejus spouse, — de dictis terris &c., cum *lie wrak et wair de lie Houp* ejusdem; **TENEND.** de dicto monast.; — de data apud Hammiltoun, 26 Dec. 1601: — **INSUPER**, — pro bono servitio dictorum Wil. et Jacobi, necnon pro compositione persoluta, — suprascripta dictis Jac. et Is. de novo in feudifirmam dimisit: — **TENEND.** dictis Jacobo et Issabelle in conjuncta infeodatione, et heredibus inter eos legitime procreatis, quibus def., heredibus et assignatis dicti Jac. quibuscunque: — **REDDEND.** 20 bolls frumenti, 26 bol. farine avenatice, 26 bol. ordei (vel 6 sol. 8 den. pro qualibet bolla), 20 sol. antique et 6 sol. 8 den. nove augmentationis; et 3 sectas ad 3 placita capitalia apud Carnconan vel alibi; et 10 lib. in introitu heredum sive assignatorum; ac perimplendo cetera contenta in antiquis infeofamentis et rentalibus, si que essent: — **TEST.** *ut in aliis cartis* &c. (XLIII., 271.)"

19 Nov., 1581, James Ouchterloney, as heir apparent of Seatoun, was witness to a document signed by Nicolas Wardlaw and his wife, Patricia Wood.

13 July, 1599, James Ochterloney of Wester Seyton was witness to "Gulielmo Raitt de Hailgrene, in vitali redditu et Roberto Raitt ejus filio secundogenito," for the lands of Conansythe in the barony of Inverkeillour. The parish of Inverkeilor is about five miles northeast of Arbroath on the coast.

In 1598 were sold the lands of Burnesyde in barony of Inverkeillour, to Joanni Auchterloney of Balmurmure (East Balmirmer farm held by John Hulme, West Balmirmer by David Ogilvie in Arbirlot). The King confirmed a charter of this last, 28 May, 1599, of which James Ochterloney of Wester Seyton was a witness. (*Register of Great Seal*, XLZ., 538.)

Commissariat
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Testaments
Vol. 33.

"The testame't datieue and inue'tar of the guidis geir sowmes of moe'y and dettis ptein'g to vmq^{le} barbara Rait relict of vmq^{le} W^m. Auchterloney of West' Seytoun within the prochin of St. Vigien and freldome of Forfar the tyme of hir deceas quha decessit in the moneth of October the yeir of God Jajv^c lxxxvii yeirs fath^{lie} maid & gevin vp be gilbert Auchterloney hir lau^l sounne exe datieue decnit to his said vmq^{le} moder be decreit of the comiss^r of Edg^r as the samy' decreit of the dait at Edg^r the sixt day of Mche the yeir of God Jajv^c lxxxviii yeirs at len^t Sportis &^c &c.

In the first the said vmq^{le} barbara rait relict of vmq^{le} W^m. Auchterloney of West' Setoun had the guidis geir sowmes of moe'y and dettis of the awaill & pces eft' following pteni'g to hir as hir awin sper guidis & geir the tyme of hir deceis fairsaid viz: — Item in utenceillis & domicilis w^t the abuilzeme'tis & orname'ts of hir bodie estimat to ii^c li moe'y.

Su'a of the Inue'tar ——— ii^c li. Follows the dettis awin to the deid. Item ther wes awin to the said vmq^{le} barbara rait relict of vmq^{le} W^m. Auchterloney of West' Seytoun be W^m. Auchterloney of Kellie resten of ane yeiris a'nuelrent the sowme of xl^{li}. Ite' be W^m. Rait of Hailgrene If me to his obliga'un ii^c lxv^{li} xiii^s iiiij^d. Item be Alex^r Naiff in fofartie now in Methie lxxx^{li}.

Su'a of the dettis awin to the deid iii^c lxxxv^{li} xiii^s iiiij^d.

Su'a of the Inue'tar w^t the dettis v^c lxxxvi^l xiii^s iiiij^d.

Na diuisioun.

Quotta Compo-
niture L xli.

Irof the quot is componit for ——— xli.

We Mrs Joⁿ Prestoun &^c we decnit th intill as o^r decreit gevin th^r vpon beiris conf'me to the qlk &^c. Irvpoun M^r. Johne Rait suitor to my lord of Edzall is becu' cau un."

Barbara Rait was of the ancient family of Rait of Hailgreen, Kincardine, which derived its name from the lands of Rate in Perthshire. In the reign of Robert III. (1390–1406) Rate of that ilk married the heiress of Hailgrene of the surname of Durend; and in the reign of James III. (1460–1488) there is a charter from that monarch of the

lands of Halgreen and Drumanager to David Rait of Halgreen, ancestor of the subsequent lairds thereof.

22 Oct., 1631, William Ochterloney of Wester Seatoun was served heir of his father, James of Wester Seatoun, of the lands of Seatoun. Catherine Ramsay was wife of William Ochterloney of Seatoun in 1620.

5 March, 1639, John Ochterloney was served heir of his father, William Ochterloney of Wester Seatoun, of the lands of Seatoun. (*Inq. Ret.*, XIV., 280.)

From the foregoing account of the family it is seen that for the early history of a Scotch family we are dependent for genealogical information on charters, grants, confirmations and inquisitions of lands held by the family, and that the heir apparent was served as heir to his father, while also a testament dative served to bequeath things that could be given away to younger children and others.

A century ago Sir Isaac Heard interested himself in acquiring information regarding his wife's family connections, which included the Ochterloney family of the Wester Seaton branch. To his labors we are therefore indebted for vital records not now obtainable, as the parish registers of Brechin, Arbroath, etc., are incomplete and too late to furnish the dates he obtained from family records.

From the family papers of the Wester Seaton branch, we are informed that the wife of John Ochterloney was Margaret Pearson, and their son, James Ochterloney, married 1 Feb., 1671, Elizabeth, daughter and heir of James Gairden, Esq., of Midstrath in the parish of Birs. The mains of Midstrath held in 1893 by Alexander Harper, farmer.

James Ochterloney had a grant, 3 Aug., 1698, of Wester Seaton, and, on the same day, of Tillifroskie in the parish of Birs.

Wester Seaton, which had then been in the family for over a century, is in the parish of St. Vigeans in Arbroath, and it is still identified in a farm held by the Francis family. The present house is a modern one, but the site of the old mansion of the Ochterloney family can be identified.

James Ochterloney died before 21 Feb., 1727, and is buried at the church of Birs. By his wife Elizabeth he had :

- i. ALEXANDER, b. 14 Feb., 1673 ; died young.
- ii. JOHN, b. 8 April, 1674.
- iii. JANE, b. 4 July, 1679 ; m. James Irvine and had one son, James.
- iv. HELEN, b. 1680.
- v. JAMES, b. 15 Sept., 1681.
- vi. PETER, b. 22 Nov., 1683.
- vii. MARGARET, b. 1684 ; m. 1715, J. Melville ; buried at Birse.
- viii. MATTY, b. 1685.
- ix. ISABEL, b. 1687.
- x. DAVID, b. 22 Jan., 1690 ; d. Feb., 1739.
- xi. ELIZABETH, b. 1692.
- xii. ANNA, b. 1693.
- xiii. ALEXANDER, b. 16 Sept., 1695 ; of whom later.

"Birse," formerly called "Press," a word of Gaelic origin signifying a wood or thicket, has reference to the Forest of Birse. The

parish, about ten miles square, of upward of forty thousand acres, of which about four thousand are wood and plantation, is situated south of the Deeside railway from Aberdeen to Ballater, two and one half miles from Aboyne station. It is noted for its wild scenery, and also the picturesque views on the Dee and Feugh waters.

Tillyfroskie, one of the "Six Towns" of the Forest of Birse, belongs to the Laird of Finzean (Robert Farquarson, Esq., M. P., J. P., 1893), whose mansion, an ancient structure in the vale of the Feugh, is built in the form of three sides of a square.

The farm of Tillyfroskie is occupied by John Harper, farmer.

David Ochterloney of Tillifroskie, born 21 Jan., 1690, died 1739, and is buried at Birs. He married Mary, daughter of Peter Forbes of Balfour in the parish of Fettercairn, and she died in Feb., 1739, and was carried to the grave with her husband.

The eight children of David and Mary (Forbes) Ochterloney were:

- i. PETER, who m. Margaret, dau. of Thomas Buchan, Laird of Auchmacoy, and had five children. On 14 Jan., 1744, Peter Ochterloney of Tillifroskie was served as heir general to his father, David Ochterloney of Tillifroskie. 26 Sept., 1755, he was served as heir special, in Tillifroskie, Boghead, Rammahagan in Birs, to his father David, who died in 1739.
- ii. DAVID, a captain in General Monkton's regiment of foot, who was unkm., and d. of wounds received at the Siege of Quebec, Aug., 1754.
- iii. JAMES, a twin of David, d. in Feb., 1739.
- iv. ALEXANDER, a planter in the island of Dominica, where he d. 25 May, 1779. He m. Mary Ann, dau. of John Gordon of Dominica, and had two daughters.
- v. ELIZABETH, who m. Francis Douglas of Aberdeen and Abbots Inch, son of Robert Douglas of Blackmiln, Logie Coldstone. He was an author, of whom a sketch is given in "Eminent Scotsmen," by Irvine.

Sir Robert Douglas of Glenbervie, the author of the earliest published Scotch Peerage and Baronage, and a kinsman and contemporary of Robert of Blackmiln, states the latter's descent from John, son of Sir Archibald Douglas of Glenbervie, a grandson of Archibald, fifth Earl of Angus, commonly known as "Bell the Cat." Of the loss of two sons of this Earl of Angus at the battle of Flodden, Hume, the historian of the house of Douglas, says: "There was also slain at this battle George, Master of Angus, and Sir William of Glenbervie, with some two hundred Gentlemen of the Name of Douglas." Francis and Elizabeth (Ochterloney) Douglas had one son, Robert, a merchant at St. Domingo, and five daughters, one of whom, Bethia, married Hugh, son of John Cochrane, Baillie of Paisley. Hugh and Bethia (Douglas) Cochrane were the grandparents of the late Alexander Cochrane, formerly in business with the late Gov. Thomas Talbot, at Billerica, Mass., and founder, in 1859, of the Cochrane Chemical Works at South Malden, now Everett, Mass.

- vi. MARY, who m. Alexander Dyce of Aberdeen, and had five sons and three daughters.
- vii. ANN, who m. Andrew Tate.
- viii. BETHIA, who m. Charles Tate, an advocate in Aberdeen.

Alexander Ochterloney, born 16 Sept., 1695, son of James and Elizabeth (Gairden) Ochterloney, married 1 Nov., 1721, Elizabeth, daughter of David Tyrie of Dunnydeer; she died 23 July, 1749. He was laird of Pitforthly, Brechin, Forfarshire. In this parish are still to be found the farms of East Pitforthie and the Mains of Pitforthie. His five sons and two daughters were:

- i. GILBERT, of Newtown Mill and Pitforthly, who m. 25 Sept., 1745, Maria, dau. of William Smith, Professor of Philosophy at Aberdeen. He d. without issue, 6 Feb., 1786.
- ii. DAVID, d. 30 Oct., 1765; of whom presently.
- iii. JAMES, who d. on the Isle of Man, 8 March, 1760, leaving a daughter, *Elizabeth*, wife of Alexander Fairweather of Brechin, and afterwards of Philadelphia.
- iv. ALEXANDER, Lieut. of the "Juno," killed by an accident at Quiberon Bay in 1760; unm.
- v. CHARLES, who d. in Bengal, in 1755.
- vi. ELIZABETH, who d. unm., in 1782.
- vii. JANE, who m. 17 Sept., 1748, John Lyon, Esq., of Forgandenny, and Castle Lyon, North Britain. She d. in April, 1775, leaving issue.

David, second son of Alexander and Elizabeth (Tyrie) Ochterloney, was a captain in the merchant service, residing for a while at Montrose. Probably Boston was one of the many ports visited by him in his voyages.

Five years after his first appearance in Boston, 4 June, 1757, his intention of marriage was published to Katherine, daughter of Andrew Tyler of Boston, by his wife Miriam, a sister of Sir William Pepperell. On 27 June, 1762, he purchased a brick house with about 1,500 sq. feet of land on Back Street, which at that time was that part of Salem Street from Hanover Street to Prince Street. Meanwhile three sons and a daughter were born: David, Gilbert (d. 1780), Alexander (d. 1803), and Catherine (d. 1792).

The eldest of these was David, born 12 Feb., 1758, who was to revive the glory of the name in a new locality.

Burke's "Extinct Baronetcies" states that Gilbert Ochterloney, the second son, died in 1763. The following extract from the Gentleman's Magazine tells a different story. Under Deaths, 16 Jan., 1780, "Gilbert Ochterling (Ochterloney), esq.; a very amiable youth, aged about 16. He died at the house of his father Isaac Heard, esq. in the college of arms. [The eighth line in our last, p. 51, col. 2, is a mistake.]" This last refers to a death item of the preceding month, "at the Heralds College, Isaac Heard, esq."

Capt. David Ochterloney, the father, continued his career as a mariner, but a few years after locating permanently in Boston he died

in 1765, at St. Vincent. His will, made at the time of his marriage, was probated 7 March, 1766, and left everything to his wife "Katrinn"; but his debts made his estate insolvent, and it was not till 1791 that a sum was realized to close up the estate, by a dividend of six and a half pence on the pound to his creditors.

His widow went to England, where she married second, Sir Isaac Heard of London, Norroy and Garter King of Arms, and Gentleman of the Red Rod to the Order of the Bath.

Sir Isaac Heard, born 10 Dec., 1740, at Ottery St. Mary, Devonshire, did not die till 29 April, 1822. During his official career as Garter King of Arms he proclaimed the titles, etc., at the funerals of six generations of the House of Brunswick. He proclaimed George IV. as King, at Carlton House, 31 Jan., 1820.

The son David, born 1758, was a scholar at the Latin School in Boston when his father died, in 1765. At the age of eighteen he went to India as a cadet, and in 1778 received an appointment as Ensign. In 1781 he was Quartermaster to the 71st Regiment of Foot. He attained the rank of Major in 1800, Lieutenant-Colonel in 1803, and Colonel in 1812. His commission as Major-General bears the date of 1 June, 1814. In 1817 he received the thanks of both Houses of Parliament, and after nearly fifty years of uninterrupted military duty, through impaired health he was forced to resign, with the intention of returning to England, but while at Meerut, for a change of air, died 15 July, 1825. He was Deputy-Adjutant-General at the Battle of Delhi, after which he was sent as Envoy to the Court of Shah Alum. For his conduct in the Nepaulese war he was created a Knight Commander of the Bath, and 7 March, 1816, was made a baronet. After his death there was erected in Calcutta a monument to him which is one of the notable sights of that city. These distinctions were the occasion of researches in the family history by Sir Isaac Heard, his stepfather, which resulted in an account of the family back to about the year 1650. This account was kindly placed at the disposal of the writer by the present baronet, and was confirmed and added to by his own researches.

The arms granted were: Azure, a lion rampant argent, holding in his paws a trident erector, and charged on the shoulder with a key, the wards upward, of the field; a chief embattled or, thereon two banners in saltire, the one of the Mahratta states vert, inscribed Delhi, the other of the states of Nepaul; the staves broken and encircled by a wreath of laurel proper.

In the patent, granted 1816, the title did not descend, and was re-created 8 Dec., 1823, and the limitation was extended to Charles Metcalf Ochterloney of Delhi, son of Roderick Peregrine and Sarah (Nelley) Ochterloney. Sir Charles Metcalf Ochterloney, Bart., H. E., I. C. S., was served as heir of provision general, 21 Oct., 1839, to Maj.-Gen. Sir David Ochterloney, Bart. Sir Charles married, 31 Dec., 1844, Sarah, daughter of William P. Tribe of Liverpool, and was succeeded by his son, the present baronet, Sir David Ferguson Ochterloney, to whom the writer is indebted for courtesies and hospitality on many occasions.

Roderick Peregrine Ochterloney married Sarah, daughter of Col. John Nelley of the Bengal Engineers, and had David William, b. 1809, d. young; Charlotte Anne Montgomerie, d. 1834; and an only surviving son, Sir Charles Metcalf Ochterloney, b. 21 Dec., 1817, d. 11 Aug., 1891, who married, 31 Dec., 1844, Sarah, daughter of William P. Tribe, Esq., of Liverpool. She died 16 Nov., 1896. They had

CHARLES WALCOTT GORDON, b. 1847; d. 30 April, 1855.

DAVID FERGUSON, b. 27 Oct., 1848.

ROSS WILKIE, b. 10 June, 1853; d. 1900.

A son and daughter (twins), b. and d. 1859.

GILBERT DOUGLAS, b. 20 May, 1867; d. 7 Dec., 1882.

SARAH HELEN, b. 29 Sept., 1845; m. 8 Dec., 1868, Sir James Liston Foulis.

CHARLOTTE AMY, b. 27 Dec., 1857.

ANNIE GEORGIANA, b. 1 March, 1864; d. 9 April, 1883.

MARY HUNTER, b. 10 Sept., 1868; m. 25 Sept., 1889, Major John Grant.

Sir David Ferguson Ochterloney, the present baronet, married, 1 Sept., 1873, Somerville, b. 1848, daughter of Barron Grahame, Esq., of Morphie, Kincardine, descended from one of the oldest cadets of the now ducal house of Montrose, and had

MACKENZIE WALCOTT, b. 7 June, 1874; d. 12 March, 1875.

MATTHEW MONTGOMERIE, b. 28 Feb., 1880.

DAVID MACKENZIE COTMAN, b. , 1885; d. , 1893.

SOMERVILLE BARCLAY, b.

SARAH OGILVIE GRAHAM, b.

ROSE WALCOTT, b.

MARY AMELIA, b. ; d. 1893.

CHARLES FRANCIS, b. , 1891.

MARGARET JANE HERDMAN.

Sir David has a residence at Balerno, Midlothian, and a town house in Edinburgh.

The arms of the Ochterloney family used in past centuries are those described in the account of John Ochterloney, *circa* 1682:—Azure, a lion rampant argent, within a border gules entoure of eight buckles or. Above the shield a helmet mantled gules and double argent, and on the torse for a crest an eagle displayed azure with an escallop in her beak argent. The motto "Deus mihi adjutor." These arms were registered by John Ochterloney of Guynd and two of his kinsfolk in 1672–1678. Then the Stewart quartering previously used, namely, or a fesse chequy argent and azure, was dropped.

In 1779 there was certified to, in the College of Arms, London: "Azure, a lion rampant argent charged on the side with a key in pale of the field and holding in the dexter paw a trident or. Crest, a swan rousant argent ducally crowned or, collared and chained of the last, charged on the breast with a rose gules." This was probably the work of Sir Isaac Heard.

The crest last given has been modified in recent years, inasmuch as the breast is charged with a buckle gules instead of a rose, and the wings and body debruised by a bendlet sinister wavy azure. The motto is "Spe labor levis."

Other branches of the family have flourished in Scotland, but the limits of this sketch prevent a detailed account of them.

Some of the family in clerical life should receive mention.

George Ouchterloney, A. M., acquired his degree at St. Andrew's; admitted to Carmyllie parish before 28 Dec., 1611, he continued till 3 April, 1616, when he was accused of giving scandal by his marriage.

John Ouchterloney, A. M., of St. Andrew's in 1643, was admitted to Aberlemno parish before 1655, and died in 1695, aged about seventy-two. He married Mary Lindsay, who died in Jan., 1678.

His brother, Alexander Ouchterloney, A. M., graduated at Aberdeen in 1661 and was presented to Carmyllie parish in 1667, and died before 2 May, 1683, aged about forty-two years, leaving two sons and a daughter, John, Robert and Jean.

His son, John Ouchterloney, was served his heir 28 July, 1699, and of his brother and sister 16 May, 1693. (*Inq. Ret.*, XLIII., 300.) He became the assistant of his uncle John at Aberlemno about 1690. He was owner of Flemington, where he had a church. He removed to Dundee in 1726, became bishop of the Non-jurant church at Edinburgh, and had the district of Brechin assigned to him, and died at Dundee in May, 1742, aged seventy-five. His only son, Alexander, went to Philadelphia.

Robert Ouchterloney, born at Guynd, 27 Oct., 1662, was admitted 20 May, 1685, to Garvock, deposed for intruding at Montrose during rebellion, 1715, lived retired and died at Montrose 9 Jan., 1750, in eighty-eighth year.

David Ouchterloney, A. M., of St. Andrews 1643, first a school-master, ordained 8 Aug., 1650; in 1651 chaplain to Lord Carnegie's regiment; translated 23 Sept., 1658, from Finhaven to Fordoun, where he died in 1691, aged about sixty-eight years. His wife, Margaret Carnegie, died in Sept., 1647; and a daughter Agnes married James Farquharson of Tullochcroy.

John Ouchterloney, A. M., formerly of Balmerino, was intruded to Fordoun prior to 16 April, 1701, and died between March, 1710, and 29 Jan., 1712.

Robert Ouchterloney, born at Guynd, 27 Oct., 1662.

